

EXHIBIT O



INFORMATIONAL
PD 313-081A

Case 1:07-cv-03610-JOT Document 24-9 Filed 02/01/2008
SERIOUS PHYSICAL INJURY
LIKELY TO DIE

10
991
02-26-07

02-25-07
02-25-07
107-05
HWY-1 ACCIDENT INVESTIGATION SOD

01
02-26-07

Page 2 of 6

Date of Orig. Report		Date Assigned		Case No.		Unit Reporting		Follow-Up No.	
02-25-07		02-25-07		107-05		HWY-1		01	
Complainant's Name: Last, First, M.I.						Victim's Name: If Different			
P.S.N.Y.						Paradi, Sabrina			
Last Name, First, M.I.						Address: Include City, State, Zip			
Home Telephone		Business Telephone		Position/Relationship		Sex		Age	
Total No. of Perpetrators		Wanted		Arrested		Weapon		Describe Weapon (If firearm, give color, make, calibre, type, model, etc.)	
Wanted		Arrested		Last Name, First, M.I.		Address: Include City, State, Zip		Apt. No.	
Sex		Date of Birth		Age		Height		Weight	
Eye Color		Hair Color		Hair Length		Facial Hair		NYSID No.	
Eyeglasses		Sunglasses		Clothing Description		Scars, Marks, M.O., Etc.		(Continue in Details)	
Wanted		Arrested		Last Name, First, M.I.		Address: Include City, State, Zip		Apt. No.	
Sex		Date of Birth		Age		Height		Weight	
Eye Color		Hair Color		Hair Length		Facial Hair		NYSID No.	
Eyeglasses		Sunglasses		Clothing Description		Scars, Marks, M.O., Etc.		(Continue in Details)	
AREA WITHIN BOX FOR DETECTIVE/LATENT FINGERPRINT OFFICER ONLY. THIS BOX WILL BE UTILIZED BY INVESTIGATOR WHENEVER POSSIBLE AND MUST BE FULLY COMPLETED WHEN USING THIS FORM TO CLOSE A CASE. NO RESULTS.									
Comp. Interviewed		In Person		By Phone		Date		Time	
Witness Interviewed		In Person		By Phone		Date		Time	
Crime Scene Visited		If Yes - Make Entry in Body Re: Time, Date, Names, Addresses, Results		If Yes - Make Entry in Details Re: Time, Date, Evidence Obtained					
Complainant Viewed Photos		Results							
Witness Viewed Photos		Results							
Crime Scene Dusted		By (Enter Results in Details)		Crime Scene Photos		By (Enter Results in Details)			
If Closing Case: No Results. Check Appropriate Box and State Justification in Details.									
C-1 Improper Referral C-2 Inaccurate Facts C-3 No Evidence / Can't ID C-4 Uncooperative Complainant C-5 Leads Exhausted									
DETAILS: INVESTIGATION MOTOR VEHICLE COLLISION/PEDESTRIAN SERIOUS PHYSICAL INJURY/LIKELY TO DIE									
SUBJECT: RESPONSE BY A.I.S./PARTIES INVOLVED DESCRIPTION OF COLLISION									
1. An on scene investigation was conducted on a Motor Vehicle Collision that occurred on Sunday February 25 2007 at approximately 2120Hrs at the intersection of W37st at 9th Ave. in the confines of the 010PCT. P.O. Loukopoulos SH#12569 of HWY-3 Prepared a Motor Vehicle Accident and Mechanism Report, Took Photographs, Prepared a Motor Vehicle Accident Report and Prepared a Diagram of the Scene. He was assisted by P.O. Deveraux SH#23902 also of HWY-3. P.O. Miranda SH#4192 of the 10th PCT Secured the scene, and Prepared a U.F.-61 for this investigation. He was assisted by P.O. Robertson SH#14920 also of the 10th PCT.									
PEDESTRIAN #1-Paradi, Sabrina F/W 23Yrs DOB-04-19-83 Severe Head Trauma/Likely to Die/Dr. Freese St. Vincents Hosp. ACR#8849775/MED REC#1342538 161 Gate 3 Ct. Danville California N.Y. ADDRESS-525 East 68St. N.Y. N.Y. 10021 No Wants or Warrants									
CASE		DATE REVIEWED		IF ACTIVE DATE OF NEXT REVIEW					
ACTIVE		CLOSED							
REPORTING OFFICER		RANK		SIGNATURE		NAME/PRINTED		TAX. REG. NO.	
		Det				Rooney, Patrick, J.		887573	
REVIEWING/CLOSING SUPERVISOR		CASE		ENTER DESIGNATION		SIGNATURE		C.O. SIGNATURE	
		CLOSED							



DETAILS

OPERATOR VEHICLE #1-Phillips, Michael, R. M/W 52Yrs DOB-02-20-55
NOT INJURED
2 Robin Road, Rumson N.J. 07760-1829
Valid CLS "D" New Jersey operator License
No History or Record in New Jersey
No History or Record in New York
No Wants or Warrants

VEHICLE #1-1988 Chevrolet Pick Up Truck Blue in Color
New Jersey Registration CMP88D
Valid Registration, Insurance and Inspection
No Wants for this Vehicle

OWNER VEHICLE #1-OPERATOR VEHICLE #1

2. The description of this collision is as follows; Vehicle #1 was traveling West on W37ST and was making a Left hand turn to travel South on 9th Ave. to enter the Lincoln Tunnel. Vehicle #1 was traveling with the Green Traffic control in its favor. The operator of vehicle #1 stated that he was on the Right hand side of W37st and Two Small vehicles passed him on the Left side and continued to travel West on 37st Crossing over 9th Ave. After these vehicles passed, the operator of vehicle #1 began to make his Left Hand turn to travel South on 9th Ave. The Pedestrians were crossing 9th Ave. from West to East in the South Crosswalk at W37st. The Pedestrians were crossing 9th Ave. with the Green Traffic control device in their favor. The operator of Vehicle #1 states he did not see the Pedestrian until he had struck her. The companion of the Pedestrian stated that he did not see the Pick up Truck until it Struck the pedestrian. After Striking the pedestrian vehicle #1 stopped immediately and the operator exited in an attempt to render aid to the pedestrian. No other vehicles Vehicles or Pedestrian were involved in this collision.

3. The Weather conditions at the time of this collision were a steady heavy snow. The roadway surface was covered with snow and a layer of Ice.

4. The undersigned did inspect the interior of Vehicle #1. No evidence of any Alcoholic Beverages or Narcotics was detected. The operator of vehicle #1 did have a Cellphone however it was not in use at the time of this collision. The undersigned also checked the Defroster and the Windshield wipers of Vehicle #1. The Defroster did work and cleared the entire window. The windshield wipers cleared the outside of the windshield with out streaking. The exterior of Vehicle #1 was also inspected Vehicle #1 received No damage in this collision. The undersigned did roadtest Vehicle #1 and found No mechanical defects with vehicle #1.

5. The undersigned did inspect the collision scene for evidence. The roadway surface was a Snow/Slush and Ice covered Asphalt surface. The C.O.E. was found to be a .30% Due to the icy roadway and the low speed of Vehicle #1 No Skids were placed. All Traffic control devices at this intersection were found to be operable and clearly visible. No cameras were observed in the area of this collision and as per P.O. Hatzis there are no Cameras in the area. No witnesses to this collision were present. An area canvass was performed and met with negative results.

CASE		DATE REVIEWED/CLOSED		IF ACTIVE, DATE OF NEXT REVIEW	
<input checked="" type="checkbox"/> ACTIVE <input type="checkbox"/> CLOSED		2/7/07		7/5/07	
REPORTING OFFICER	RANK	SIGNATURE	NAME PRINTED	TAX REG. NO.	COMMAND
	Det		Rooney, Patrick, J.	887573	HWYLAIS
REVIEWING CLOSING SUPERVISOR	CASE	ENTER DESIGNATION	SIGNATURE	C.O.'s INITIALS	
	CLOSED	C			



DETAILS:

The undersigned did review the Sprint 911 Printout. No calls were made to the 911 System. The assigned officers from the 10PCT. received this Job as a Pick-Up.

7. Det. Ficken SH#6273 and Det. Babara SH#1745 of the 10th PCT. P.D.U. responded to the scene and to St. Vincents hospital. While present at the scene the above Detectives did interview the following witnesses;

A) the operator of Vehicle #1

B) P.O. Merinda and P.O. Robertson of the 10th PCT.

C) Sharlene Aquiler of 733 St. Nicholas Ave. N.Y. N.Y. 10031

Cell Phone 917-583-2424. She stated that she was in front of the pedestrian that was struck. She heard the collision but did not witness.

D) Maria T. Eberline of 2315 Spring Oak Way San Diego Ca 92139 Cell Phone 4 310-804-3353. She states that she was in front of the pedestrian that was struck. Heard Scream and turned to see the pedestrian on the ground. She did not witness this accident.

E) Det. Ficken responded to St. Vincents Hospital and Spoke with Dr. Freese. Dr. Freese stated that the victim was in surgery and has a 5% chance of survival.

8. While present at the scene the undersigned did interview the operator of Vehicle #1. His statement was recorded on P.D. -301-061.

9. The undersigned was advised that P.O. Schnieder SH#12173 of HWY-1 administered a P.B.T. to the operator of Vehicle #1 at 2315Hrs. The operator of Vehicle #1 registered a .000% B.A.C.

10. The undersigned did contact A.D.A. McLaren of the M.D.A.O. After conferral A.D.A. McLaren agreed that a Summons for Failure to yield to Pedestrian in the Crosswalk should be issued.

11. P.O. Mirinda SH# 4192 of the 10th PCT prepared and issued Summons number OAC8786982 for Failure to Yield to Pedestrians in the Crosswalk. 4-03(a)(1) Traffic Regs.

12. P.O. Mirinda also Prepared Property Voucher N558671 for the Umbrella left at the scene by the Pedestrians companion.

13. The undersigned responded to St. Vincents Hospital in an attempt to interview the companion of the Victim of this collision. The undersigned was advised by P.O. Robertson SH#14920 of the 10th PCT. that the companion identified as Matthew C. Blank DOB-01-09-82 of 61 Bayard ST APT#14 N.Y.C. N.Y. Cellphone number had left the Hospital and went home. Further P.O. Robertson advised the undersigned that he notified the Mother of the Victim. The mother was identified as Shelly Moore DOB-06-17-51 residing at the same address of the Pedestrian. She was notified at 2330Hrs on her Cellphone 925-820-6249.

14. The undersigned returned to HWY-1 and contacted Mr. Blank by Telephone and conducted an interview. Mr. Blank's statement was recorded on P.D. 301-061

CASE <input checked="" type="checkbox"/> ACTIVE <input type="checkbox"/> CLOSED		DATE REVIEWED/CLOSED		IF ACTIVE, DATE OF NEXT REVIEW	
REPORTING OFFICER Det	RAN	SIGNATURE 	NAME-PRINTED Rooney, Patrick, J.	TAX REG. NO. 887573	COMMAND 10 PCT
REVIEWING/CLOSING SUPERVISOR	CASE CLOSED	ENTER DESIGNATION C	SIGNATURE	C.O.'S INITIALS	

EXHIBIT P

MOTORIST
COPY

DEPARTMENT OF MOTOR VEHICLES
TRAFFIC VIOLATIONS DIVISION
MANHATTAN S TVB

DATE 06/01/07

TIME 11:06 AM

NAME: PHILLIPS, MICHAEL, R
DOB/SEX: 02/20/55 M

NOT GUILTY: 0AC8786982 02/25/07 MANHATTAN S TVB
FLD YIELD PEDEST NYC

RCPT# LLAD010
OPER ADJLLA

RETAIN FOR YOUR RECORDS
TERM# RS06 PAGE 1 OF 1